

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden  
v. : Crim. No. 07-248  
ANTHONY RUBINO : O R D E R

This matter having come before the Court on the application of defendant Anthony Rubino seeking a six month extension of his surrender date and clarification of the Court's recommendation at sentencing that the defendant receive a designation to a minimum security federal prison camp; and the Court having received the submissions by defendant in support of his motion; and the Court having conducted a hearing on September 16, 2008; and the Court having heard arguments by the Government (by Andrew D. Kogan, Assistant U.S. Attorney, appearing), and by the defendant (by John A. Azzarello, Esq., appearing); and for good cause shown,

IT IS, on this 17<sup>th</sup> day of September 2008,

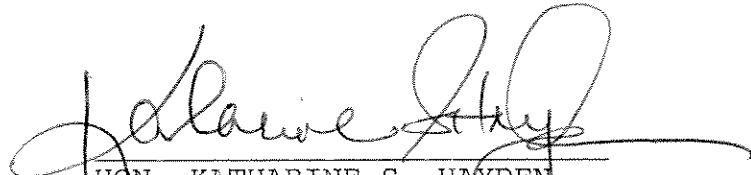
ORDERED that defendant's voluntary surrender date is hereby extended to January 15, 2009 and that on that date defendant shall report to a facility designated by the Bureau of Prisons ("BOP"), which the Court recommends be a minimum security facility and not the Federal Correctional Institution located at New York MCC, which is the current designation; and it is further

ORDERED that to clarify the Court's position at sentencing, the Court recommends that the BOP reconsider placing defendant in a minimum security facility and also recommends that the facility

be in close proximity to his family who are located in northern New Jersey. The Court further clarifies, as was its original intent, that a designation to a minimum security facility should take priority over a designation to a facility close in proximity to defendant's family in northern New Jersey; and it is further

ORDERED that the Court recommends that the BOP begin acclimating defendant back into society, through placement in a Residential Reentry Center or otherwise, as early as the BOP deems practicable and meritorious within the BOP rules, regulations, practices and procedures; and it is further

ORDERED that the Judgment of Conviction entered on July 23, 2008, in this matter be and the same is hereby AMENDED to include this Order.



HON. KATHARINE S. HAYDEN  
United States District Judge